

R E M A R K S

Reconsideration of this application, as amended, is respectfully requested.

THE TITLE

The title has been amended to more clearly indicate the nature of the invention to which the claims are directed, as required by the Examiner.

THE CLAIMS

Claims 1-13 have all been canceled, and new claims 14-23 have been added to more clearly recite the distinguishing features of the present invention. No new matter has been added, and it is respectfully requested that the new claims be approved and entered.

CLAIM FEE

The application now contains 10 claims, of which 4 are independent. However, a claim fee for 5 independent claims in total has already been paid. Accordingly, it is respectfully submitted that no extra claim fee is required. Nevertheless, authorization is hereby given to charge any additional fees which may be determined to be required to Account No. 06-1378.

THE PRIOR ART REJECTION

Claims 11 and 13 were rejected under 35 USC 102 as being anticipated by USP 6,700,961 ("Dacloush et al"), and claim 6 was rejected under 35 USC 103 as being obvious in view of the combination of USP 5,539,747 ("Ito et al"), USP 6,115,613 ("Jonsson") and USP 6,463,139 ("Davitt et al"). These rejections, however, are respectfully traversed with respect to new claims 14-23.

According to the present invention as recited in new independent claim 14, a data communication terminal is provided which comprises means for warning a user that a transmitted/received data amount of a set of objective data to be transmitted/received has reached a specified data amount, wherein when it is judged that the transmitted/received data amount has reached the specified data amount, the transmission/reception is temporarily suspended, an instruction to resume or terminate the transmission/reception is received from the user, and the transmission/reception is then resumed or terminated in accordance with the received instruction. New independent claim 22, moreover, recites a computer-readable medium having stored thereon a program for implementing the operation of the data communication terminal of claim 14.

According to the present invention as recited in new independent claim 20, a data communication terminal is provided

which comprises judging means for selecting one of first and second calculating means to calculate a communication charge for data communication carried out by a selected one of first and second data communication means, wherein the judging means judges whether the calculated communication charge has reached a communication charge limit amount set for a set of objective data to be transmitted/received, and wherein when it is judged by the judging means that the calculated communication charge has reached the communication charge limit amount, a user is warned that the communication charge has reached the communication charge limit amount. New independent claim 23, moreover, recites a computer-readable medium having stored thereon a program for implementing the operation of the data communication terminal of claim 20.

With the structure of the present invention as recited in each of new independent claims 14, 20, 22 and 23, the amount of data to be transmitted/received is managed such that if the data amount has reached a specified data amount specific for a set of objective data to be transmitted/received, the user is warned. That is, upon receiving a set of data of unknown data size or whose data amount cannot be recognized until it is received, for example, the claimed present invention measures the data amount "while receiving" the set of objective data to be transmitted/received and warns a user when the data amount has reached a

predetermined data amount. As a result, when the user is warned, the user can understand that the set of objective data to be transmitted/received will incur charges, and if the data is unnecessary or not of sufficient value the user can terminate data communication. The claimed present invention thus has an excellent advantage that a large amount of unnecessary data is not transmitted or received at a high communication charge, thereby making data communication more efficient and cost effective. In addition, the present invention as recited in new independent claims 20 and 23 also has an excellent advantage in that even without being aware of the charging system of the connected communication network, the user can prevent the communication charge for a set of objective data to be transmitted or received from exceeding an upper limit of the communication charge.

By contrast, it is respectfully submitted that none of the cited references discloses, teaches or suggests managing an amount of data to be transmitted/received for each set of objective data to be transmitted/received, as according to the claimed present invention. That is, it is respectfully submitted that none of the cited references discloses, teaches or suggests managing an amount of data to be transmitted/received such that if the data amount has reached a specified data amount specific for a set of objective data to be transmitted/received the user

is warned, as recited in new independent claims 14, 20, 22 and 23. Therefore, the cited references cannot achieve the excellent advantages achieved by the claimed present invention whereby the user can avoid transmitting or receiving a large amount of unnecessary data at high communication costs by preventing the communication charge for a set of objective data to be transmitted or received from exceeding an upper limit of the communication charge.

In view of the foregoing, it is respectfully submitted that the present invention as now more clearly recited in new independent claims 14, 20, 22 and 23, and claims 15-19 and 21 respectively depending therefrom, patentably distinguishes over all of the cited references, taken singly or in any combination, under 35 USC 103.

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If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned for prompt action.

Respectfully submitted,

/Douglas Holtz/

Douglas Holtz
Reg. No. 33,902

Frishauf, Holtz, Goodman & Chick, P.C.
220 Fifth Avenue - 16th Floor
New York, New York 10001-7708
Tel. No. (212) 319-4900
DH:iv:rjl